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EXAMINER

ISMAIL, SHAWKI SAIF

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 04/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/871,585

Applicant(s)

SHIBUSAWA ET AL.

Examiner

Shawki S Ismail

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 and 19-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 19-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **RESPONSE TO AMENDMENT**

1. Claims 1-17 and 19-29 remain for further examination. Applicants' argument with respect to claims 1-17 and 19-29 filed on December 28, 2004 have been fully considered.

### **The old rejection maintained**

2. The rejection is respectfully maintained as set forth in the last office action mailed September 28, 2004. Applicants' argument with respect to claims 1-17 and 19-29 have been fully considered but they are not persuasive; therefore, the old rejection is maintained.

### **Claim Rejections - 35 USC § 103**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-17 and 19-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Nazem et al, (Nazem)** U.S. Patent No. **5,983,227** and in view of **Hagan et al., (Hagan)**, U.S. Patent No. **6,734,886**.

5. As to claim 1, Nazem teaches a Web page transmission system comprising:

a storage device for storing a Web page template defining the basic structure of Web pages to be browsed, and registered user information regarding registered users

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who browse the Web pages (Fig. 2, Cached User Templates 214 stores web page templates and User Configuration 206 stores user information);

a Web page generating unit for generating, in response to a request for browsing the Web page from the registered user, a user-specific Web page for the user by embedding user-specific information which is obtained by referencing the registered user information into the Web page template (Fig. 2, Page Generator 210 generates web pages with user-specific information obtained from the User Configuration 206 in response to a request from a user); and

a server unit for providing the user-specific Web page, having been generated, to the user (Server 104 provides the custom web page to the user.)

Nazem does not explicitly teach wherein the user information comprises rank information including a rank of wholesale prices set for each user.

Hagan teaches a method for customizing a user's browsing experience of a healthcare related Internet site based on the personal medical history of the user. Hagan teaches wherein the user information consists of user name, address, telephone number, user's medical code history, etc...(col. 7, lines 33-38.) The user's medical code history used to obtain the customized web page of the user is analogous to the rank information in that the users are categorized according to their code or rank. The user's medical code history is code given to each user health related issues. User medical code history is compared to link table in which every web page on the website is indexed by keyword (col. 4, lines 28-47, and col. 6, lines 14-30.)

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Nazem and Hagan to use the user's medical code history as user-specific data. By doing so the site provider is able to minimize the number of customized site to the number of groups that are available, which will reduce the storage capacity and increase the transmission of data to the user.

6. As to claim 2, Nazem teaches a Web page transmission system comprising:

A storage device for storing, when user-specific information is classified into a plurality of groups, group-specific Web pages to be browsed, and registered user information regarding registered users who browse the WebPages (Fig. 2, Cached User Templates 214 stores web page templates, User Configuration 206 stores user information, and Shared Memory 212 stores live data on group-specific information which are displayed in the web page templates for specific users);

a Web page generating unit for selecting from the group-specific. Web pages, in response to a request for browsing the Web page from the registered user, a Web page showing user-specific information which is obtained by referencing the registered user information, as a user-specific Web page for the user (Fig. 2, Page Generator 210 generates web pages with user-specific information obtained from the User Configuration 206 in response to a request from a user and uses information from the Shared Memory 212 to incorporate into the web page template); and

a server unit for providing the user-specific Web page to the user (Server 104 provides the custom web page to the user.)

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Nazem does not explicitly teach wherein the user information comprises rank information including a rank of wholesale prices set for each user.

Hagan teaches a method for customizing a user's browsing experience of a healthcare related Internet site based on the personal medical history of the user. Hagan teaches wherein the user information consists of user name, address, telephone number, user's medical code history, etc...(col. 7, lines 33-38.) The user's medical code history used to obtain the customized web page of the user is analogous to the rank information in that the users are categorized according to their code or rank. The user's medical code history is code given to each user health related issues. User medical code history is compared to link table in which every web page on the website is indexed by keyword (col. 4, lines 28-47, and col. 6, lines 14-30.)

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Nazem and Hagan to use the user's medical code history as user-specific data. By doing so the site provider is able to minimize the number of customized site to the number of groups that are available, which will reduce the storage capacity and increase the transmission of data to the user.

7. As to claim 3, it contains the combined limitations of claim 1 and 2 above; therefore it is rejected under the same rationale.

8. As to claim 4, Nazem teaches a Web page transmission system comprising:

prestoring in a storage device a Web page template defining the basic structure of Web pages to be browsed, and registered user information regarding registered

users who browse the Web pages (Fig. 2, Cached User Templates 214 stores web page templates and User Configuration 206 stores user information);

generating, in response to a request for browsing the Web page from the registered user, a user-specific Web page for the user by embedding user-specific information which is obtained by referencing the registered user information into the Web page template (Fig. 2, Page Generator 210 generates web pages with user-specific information obtained from the User Configuration 206 in response to a request from a user) (Fig. 2, Page Generator 210 generates web pages with user-specific information obtained from the User Configuration 206 in response to a request from a user); and

providing the user-specific Web page, having been generated, to the user (Server 104 provides the custom web page to the user.)

Nazem does not explicitly teach wherein the user information comprises rank information including a rank of wholesale prices set for each user.

Hagan teaches a method for customizing a user's browsing experience of a healthcare related Internet site based on the personal medical history of the user. Hagan teaches wherein the user information consists of user name, address, telephone number, user's medical code history, etc...(col. 7, lines 33-38.) The user's medical code history used to obtain the customized web page of the user is analogous to the rank information in that the users are categorized according to their code or rank. The user's medical code history is code given to each user health related issues. User

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medical code history is compared to link table in which every web page on the website is indexed by keyword (col. 4, lines 28-47, and col. 6, lines 14-30.)

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Nazem and Hagan to use the user's medical code history as user-specific data. By doing so the site provider is able to minimize the number of customized site to the number of groups that are available, which will reduce the storage capacity and increase the transmission of data to the user.

9. As to claim 5, Nazem teaches a Web page transmission method comprising:

    prestoring in a storage device, when user-specific information is classified into a plurality of groups, group-specific Web pages to be browsed, and registered user information regarding registered users who browse the Web pages (Fig. 2, Cached User Templates 214 stores web page templates, User Configuration 206 stores user information, and Shared Memory 212 stores live data on group-specific information which are displayed in the web page templates for specific users);

    selecting from the group-specific Web pages, in response to a request for browsing the Web page from the registered user, a Web page showing user-specific information which is obtained by referencing the registered user information (Fig. 2, Page Generator 210 generates web pages with user-specific information obtained from the User Configuration 206 in response to a request from a user and uses information from the Shared Memory 212 to incorporate into the web page template); and

    providing the user-specific Web page, having been selected, to the user (Server 104 provides the custom web page to the user.)



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Nazem does not explicitly teach wherein the user information comprises rank information including a rank of wholesale prices set for each user.

Hagan teaches a method for customizing a user's browsing experience of a healthcare related Internet site based on the personal medical history of the user. Hagan teaches wherein the user information consists of user name, address, telephone number, user's medical code history, etc...(col. 7, lines 33-38.) The user's medical code history used to obtain the customized web page of the user is analogous to the rank information in that the users are categorized according to their code or rank. The user's medical code history is code given to each user health related issues. User medical code history is compared to link table in which every web page on the website is indexed by keyword (col. 4, lines 28-47, and col. 6, lines 14-30.)

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Nazem and Hagan to use the user's medical code history as user-specific data. By doing so the site provider is able to minimize the number of customized site to the number of groups that are available, which will reduce the storage capacity and increase the transmission of data to the user.

10. As to claim 6, it contains the combined limitations of claim 4 and 5 above; therefore it is rejected under the same rationale.

11. As to claim 7, Nazem teaches a computer-readable storage medium storing a computer program for executing the steps of:

accessing a storage device storing a Web page template defining the basic structure of Web pages to be browsed, and registered user information regarding registered users who browse the Web pages (Fig. 2, Cached User Templates 214 stores web page templates and User Configuration 206 stores user information);

generating, in response to a request for browsing the Web page from the registered user, a user-specific Web page for the user by embedding user-specific information which is obtained by referencing the registered user information into the Web page template; and

providing the user-specific Web page, having been generated, to the user (Server 104 provides the custom web page to the user.)

Nazem does not explicitly teach wherein the user information comprises rank information including a rank of wholesale prices set for each user.

Hagan teaches a method for customizing a user's browsing experience of a healthcare related Internet site based on the personal medical history of the user. Hagan teaches wherein the user information consists of user name, address, telephone number, user's medical code history, etc...(col. 7, lines 33-38.) The user's medical code history used to obtain the customized web page of the user is analogous to the rank information in that the users are categorized according to their code or rank. The user's medical code history is code given to each user health related issues. User medical code history is compared to link table in which every web page on the website is indexed by keyword (col. 4, lines 28-47, and col. 6, lines 14-30.)

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Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Nazem and Hagan to use the user's medical code history as user-specific data. By doing so the site provider is able to minimize the number of customized site to the number of groups that are available, which will reduce the storage capacity and increase the transmission of data to the user.

12. As to claim 8, Nazem teaches a computer-readable storage medium storing a computer

program for executing the steps of:

accessing a storage device storing, when user-specific information is classified into a plurality of groups, group-specific Web pages to be browsed, and registered user information regarding registered users who browse the Web pages (Fig. 2, Cached User Templates 214 stores web page templates, User Configuration 206 stores user information, and Shared Memory 212 stores live data on group-specific information which are displayed in the web page templates for specific users);

selecting from the group-specific Web page, in response to a request for browsing the Web page from the registered user, a Web page showing user-specific information which is obtained by referencing the registered user information (Fig. 2, Page Generator 210 generates web pages with user-specific information obtained from the User Configuration 206 in response to a request from a user and uses information from the Shared Memory 212 to incorporate into the web page template); and

providing the user-specific Web page, having been selected, to the user (Server 104 provides the custom web page to the user.)

Nazem does not explicitly teach wherein the user information comprises rank information including a rank of wholesale prices set for each user.

Hagan teaches a method for customizing a user's browsing experience of a healthcare related Internet site based on the personal medical history of the user. Hagan teaches wherein the user information consists of user name, address, telephone number, user's medical code history, etc...(col. 7, lines 33-38.) The user's medical code history used to obtain the customized web page of the user is analogous to the rank information in that the users are categorized according to their code or rank. The user's medical code history is code given to each user health related issues. User medical code history is compared to link table in which every web page on the website is indexed by keyword (col. 4, lines 28-47, and col. 6, lines 14-30.)

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Nazem and Hagan to use the user's medical code history as user-specific data. By doing so the site provider is able to minimize the number of customized site to the number of groups that are available, which will reduce the storage capacity and increase the transmission of data to the user.

13. As to claim 9, it contains the combined limitations of claim 7 and 8 above; therefore it is rejected under the same rationale.

14. As to claim 10, Nazem teaches the Web page transmission system according to claim 1, wherein the Web pages provided to each of the users have a similar structure (Fig. 3, Global Front Page Template 204 provides standard templates before the

customization takes place, the users get the same templates but with different information depending on their user configuration.)

15. As to claim 11, Nazem teaches the Web page transmission system according to claim 1, wherein the users have preregistered on the server in order to receive the specific Web pages (col. 5, lines 25-41, the user sets preferences or parameters before receiving the customized web page.)

16. As to claim 12, Nazem teaches the Web page transmission system according to claim 1, wherein the user-specific Web page is generated from the Web page template each time in response to a request from a registered user for browsing the Web page (col. 1, line 60 - col.2, line 14, a customized web page is generated from the web page templates for every request received from a user.)

17. As to claim 13, Nazem teaches the Web page transmission system according to claim 1, wherein the user-specific information is obtained selected from the group consisting of directly from the registered user information and indirectly from other data files (col. 5, lines 25-41, the user sets preferences or parameters before receiving the customized web page.)

18. As to claim 14, Nazem teaches the Web page transmission system according to claim 1, wherein the storage device constantly stores the Web page template (col. 4, line 4 – col. 5, line

19. As to claim 15, Nazem teaches the Web page transmission system according to claim 1, wherein the storage device temporarily stores the user-specific Web page (col. 4, line 4 – col. 5, line 7.)

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20. As to claim 16, Nazem teaches the Web page transmission system according to claim 1, wherein the Web page template is Hypertext Markup Language (HTML) data (Fig. 3, col. 5, lines 8-11.)

21. As to claim 17, Nazem teaches the Web page transmission system according to claim 1, wherein the user information is selected from the group consisting of user names, user addresses, phone numbers, fax numbers, user codes, passwords, and rank information (Fig. 2, Cached User Templates 214 stores web page templates, User Configuration 206 stores user information, and Shared Memory 212 stores live data on group-specific information which are displayed in the web page templates for specific users).

22. As to claim 19, Nazem teaches the Web page transmission system according to claim 2, wherein users of the same group share the same user-specific information (col. 6, lines 23-50, during the registration process a user inputs his or her zip code to get a customized weather, sports, etc. web pages locally, some user may have the same zip code and will thus receive similar web pages if no other parameter changes.)

23. As to claim 20, Nazem teaches the Web page transmission system according to claim 2, wherein the storage device stores Web pages corresponding to the number of groups (Fig. 2, Cached User Templates 214 stores web page templates, User Configuration 206 stores user information, and Shared Memory 212 stores live data on group-specific information which are displayed in the web page templates for specific users).

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24. As to claim 21, Nazem teaches the Web page transmission system according to claim 2, wherein the generating unit selects a Web page for a corresponding group from the storage device and uses it as the user-specific Web page (Page Generator 210 generates customized web pages for a corresponding group from the Shared Memory 212.)

25. As to claim 22, Nazem teaches the Web page transmission system according to claim 3, wherein the storage device stores group-specific Web page templates corresponding to the number of groups (Fig. 2, Cached User Templates 214 stores web page templates, User Configuration 206 stores user information, and Shared Memory 212 stores live data on group-specific information which are displayed in the web page templates for specific users).

26. As to claim 23, Nazem teaches the Web page transmission system according to claim 3, wherein the Web page generating unit, in response to a browsing request from a user, selects a group-specific Web page template for the user and adds user-specific information to generate the user-specific Web page (Page Generator 210 generates customized web pages for a corresponding group from the Shared Memory 212.)

27. As to claim 24, Nazem teaches the Web page transmission method according to claim 4, further comprising providing the Web pages to each of the users with the Web pages having a similar structure (Fig. 3, Global Front Page Template 204 provides standard templates before the customization takes place, the users get the same templates but with different information depending on their user configuration.)

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28. As to claim 25, Nazem teaches the Web page transmission method according to claim 4, further comprising preregistering user information on the server in order to receive the specific Web pages (col. 5, lines 25-41, the user sets preferences or parameters before receiving the customized web page.)

29. As to claim 26, Nazem teaches the Web page transmission method according to claim 4, further comprising generating the user-specific Web page from the Web page template each time in response to a request from a registered user for browsing the Web page (col. 1, line 60 - col.2, line 14, a customized web page is generated from the web page templates for every request received from a user.)

30. As to claim 27, Nazem teaches the Web page transmission method according to claim 4, further comprising obtaining the user-specific information selected from the group consisting of directly from the registered user information and indirectly from other data files (col. 5, lines 25-41, the user sets preferences or parameters before receiving the customized web page.)

31. As to claim 28, Nazem teaches the Web page transmission method according to claim 4, further comprising constantly storing the Web page template (col. 4, line 4 – col. 5, line 7.)

32. As to claim 29, Nazem teaches the Web page transmission system according to claim 4, further comprising temporarily storing the user-specific Web page (col. 4, line 4 – col. 5, line 7.)



### **Response to Arguments**

33. Applicants' arguments with respect to claims 1-17 and 19-29 filed on December 28, 2004 have been fully considered but they are not deemed to be persuasive.

34. In the remarks, the applicant argues in substance that:

(A) Argument: "the combination of Nazem and Hagan does not disclose or suggest that the rank information is the rank of wholesale prices set for each user"

Response: Nazem provides a custom page server, which can quickly serve custom pages and is scalable to handle many users simultaneously. Hagan teaches customizing the browsing experience of a user of a healthcare related World-Wide-Web site based on the medical code history of the user. The user's medical code history is code given to each user depending on their health related condition. The user's medical code history used to obtain the customized web page of the user is analogous to the rank information in that the users are categorized according to their code or rank. User medical code history is compared to link table in which every web page on the website is indexed by keyword (col. 4, lines 28-47, and col. 6, lines 14-30.) The fact that the rank information is used for ranking wholesale prices constitutes intent of use. Hagen could have easily coded wholesale prices as opposed to medical conditions. Therefore, the user's medical code history used to obtain the customized web page of the user meets the scope of the claimed invention "wherein the user information comprises rank information including a rank of wholesale prices set for the user." See *In re Larson*, 340 F.2d 965, 968, 144 USPQ 347, 349 (CCPA 1965). Examiner considers the ranking of wholesale price as an intended purpose and the ranking itself

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as a function. See MPEP 2144.07. See also *Ryco, Inc. v. Ag-Bag Corp.*, 857 F.2d 1418, 8 USPQ2d 1323 (Fed. Cir. 1988) (Claimed agricultural bagging machine, which differed from a prior art machine only in that the brake means were hydraulically operated rather than mechanically operated, was held to be obvious over the prior art machine in view of references which disclosed hydraulic brakes for performing the same function, albeit in a different environment.).

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

### **Contact Information**

35. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail  
Patent Examiner  
April 6, 2005

  
**HOSAIN ALAM**  
**ASSISTANT PATENT EXAMINER**